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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/512,738  
Filing Date: February 24, 2000  
Appellant(s): SHEN ET AL.

\_\_\_\_\_  
Timothy P. Cremen  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed August 5, 2005 appealing from the Office action mailed April 6, 2005.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,430,624	Jamtgaard et al.	8-2002
6,721,747	Lipkin	4-2004
6,538,673	Maslov	3-2003
6,463,352	Tadokoro et al.	10-2002

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-4, 7-14, 17-24, 27-39, and 40-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al. (hereinafter Jamtgaard, US Patent Number 6,430,624, provisional filed on October 21, 1999) in view of Lipkin (US Patent Number 6,721,747, US filing date of January 14, 2000).

**In regard to independent claim 1**, Jamtgaard teaches a method in which an HTML file is requested via the internet (column 2, lines 40-59 of Jamtgaard),  
“...processing a request for a document comprising at least one hypertext markup language (HTML) element”. Jamtgaard also teaches that the HTML files is parsed and translated into a document object model tree (column 9, lines 48-63 of Jamtgaard),  
“...parsing the requested document to generate therefrom a corresponding document object model (DOM) including at least one object”. Jamtgaard also teaches that

transformation instructions are obtained that correspond to a document URL that dictate how to convert the HTML file (beginning with the first object) into relational markup language, and the conversion (transformation) is performed (column 10, line 20-column 11, line 12 of Jamtgaard), "...obtaining a transformation instruction directed to a first object of the DOM" and "...transforming the first object in accordance with the transformation instruction". Jamtgaard also teaches that the converted document is then output to the requesting device by transforming portions of the DOM tree back into complete documents (flattening) called cards (column 14, lines 4-21 of Jamtgaard), "...flattening the DOM to generate therefrom a corresponding transformed document". Jamtgaard does not directly disclose a method in which the transformation of an object consists of changing the value of that object. However, Lipkin discloses a method in which a transformation of a DOM object consists of changing the underlying value of that object (column 69, line 1-column 71, line 15 of Lipkin). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Jamtgaard with method of Lipkin because it would have allowed for a transformation to occur that was transparent to the user.

**In regard to dependent claim 2,** Jamtgaard discloses a method in which transformation instructions are found in XSL files that are associated with the URL of the requested document (column 6, lines 11-53 of Jamtgaard), "...reading a transformation instruction from a script file corresponding to the requested document".

**In regard to dependent claim 3,** Jamtgaard teaches a method in which an HTML file is requested via an internet browser (column 2, lines 40-59 of Jamtgaard),

*"...receiving a request for a document from a client program".* Jamtgaard also discloses a method in which transformation instructions are found in XSL files on the server that are associated with the URL of the requested document (column 6, lines 11-53 of Jamtgaard), *"...identifying a script file within the document server corresponding to the requested document".*

**In regard to dependent claim 4,** Jamtgaard teaches a method in which an HTML file is requested via an internet browser (column 2, lines 40-59 of Jamtgaard), *"...client program comprises a Web browser".*

**In regard to dependent claim 7,** Jamtgaard teaches a method in which transformation instructions are found in XSL files that are associated with the URL of the requested document (column 6, lines 11-53 of Jamtgaard), *"...the script file and the document comprise logically separate data files".*

**In regard to dependent claim 8,** Jamtgaard teaches that the converted document is then output to the requesting devices internet browser by transforming portions of the DOM tree back into complete documents (flattening) called cards (column 14, lines 4-21 of Jamtgaard), *"...transmitting the transformed document to a client program."*

**In regard to dependent claim 9,** Jamtgaard does not disclose the use of database values to be assigned to objects in the DOM tree. However, Lipkin discloses a method in which a value obtained from a database when a DOM tree is being walked in reference to an object request and the result is returned to that object (column 78, line 55-column 80, line 67 of Lipkin), *"...retrieving a value from a database"* and

*"...assigning the database value to an object of the DOM".* It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Jamtgaard with the method of database retrieval disclosed by Lipkin because it would have allowed a dynamic page to be finalized in the DOM tree before it was flattened.

**In regard to dependent claim 10,** Jamtgaard teaches that transformation instructions are obtained that correspond to a document URL that dictate how to convert the HTML file (beginning with the first object) into relational markup language, and the conversion (transformation) is performed, replacing the HTML document with the RML document (column 10, line 20-column 11, line 12 of Jamtgaard), *"...replacing a first object of the DOM with a different second object".*

**In regard to dependent claim 31,** Jamtgaard teaches that transformation instructions are obtained that correspond to a document URL that dictate how to convert the HTML file (beginning with the first object, the root or actual HTML file) into relational markup language, and the conversion (transformation) is performed, replacing the HTML document with the RML document (column 10, line 20-column 11, line 12 of Jamtgaard), *"...wherein the first object is an HTML file".*

**In regard to dependent claim 34,** Jamtgaard discloses a method in which transformation instructions are found in XSL files on the server that are associated with the URL of the requested document, which includes the first object (column 6, lines 11-53 of Jamtgaard), *"...the transformation instruction is read from a script file located separately from the first object".*

**In regard to dependent claim 37**, Jamtgaard teaches that transformation instructions are obtained that correspond to a document URL that dictate how to convert the HTML file (beginning with the first object, the root or actual HTML file) into relational markup language, and the conversion (transformation) is performed, replacing the HTML document with the RML document (column 10, line 20-column 11, line 12 of Jamtgaard), *"...the first object is an HTML file"*. Jamtgaard discloses a method in which transformation instructions are found in XSL files on the server that are associated with the URL of the requested document (associated the URL which is contained in both documents), which includes the first object (column 6, lines 11-53 of Jamtgaard), *"...the transformation instruction is read from a script file located separately from the HTML file"* and *"...the HTML file and the script file contain information to indicate their correspondence to each other"*.

**In regard to dependent claims 40-41**, Jamtgaard does not disclose a method in which the transformed document and original document are in the same format. However, Lipkin discloses a method in which the transformation only occurs on the underlying values of the DOM objects, thus allowing the original document to remain in its format after the transformation, which as disclosed by Lipkin can be HTML, XML, and other languages (column 49, line 36-column 50, line 59 of Lipkin). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Jamtgaard and Lipkin because it would have allowed for a transformation to occur that was transparent to the user.



**In regard to dependent claim 42**, Jamtgaard does not disclose a method in which the value is changed in accordance with different users. However, Lipkin discloses a method in which data presented to the user may be based on a login or user preferences, thus providing different information to different users (column 84, line 23-column 85, line 19 of Lipkin). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Jamtgaard with the method of Lipkin because it would have allowed for a higher level of personalization within the presented documents.

**In regard to dependent claims 43-44**, Jamtgaard does not disclose a method in which the value is a variable or that the first object may be empty before it is transformed. However, Lipkin discloses a method in which objects may be empty until a request to view them is made, at which point the correct values, which can be variables, are then placed into the object (column 69, line 1-column 71, line 15 of Lipkin). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Jamtgaard with the method of Lipkin because it would have allowed for an easy way to create documents containing personalized information.

**In regard to claims 11-14, 17-20, 32, 35, 38, 21-24, 27-30, 33, 36, 39, and 45-54**, the claims incorporate substantially similar subject matter as claims 1-4, 7-10, 31, 34, 37, and 40-44. Thus, the claims are rejected along the same rationale as claims 1-4, 7-10, 31, 34, 37, and 40-44.

Claim 5, 15, and 25, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al. (hereinafter Jamtgaard, US Patent Number 6,430,624, provisional filed on October 21, 1999) in view of Lipkin (US Patent Number 6,721,747, US filing date of January 14, 2000) as applied to claims 1, 2, 11, 12, 21, and 22 above, and further in view of Maslov (US Patent Number 6,538,673, filed on August 23, 1999).

**In regards to dependent claim 5**, neither Jamtgaard nor Lipkin disclose receiving requests for scripts or identifying documents that correspond to a script. However, Maslov disclosed a method in which a user requests a script file to start the transformation of a document using a DOM tree and based on that script file the content source documents referenced by that script file are loaded (column 6, lines 1-13 of Maslov, *"...receiving a request for a script file from client program" and "...identifying a document within the document server corresponding to the requested script file"*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Jamtgaard with method of requesting a script of Maslov because it would have allowed a user to reference more than one source document with one script file and have all of them loaded automatically and all necessary transformations performed with only the request of one document.

**In regard to dependent claims 15 and 25**, the claims incorporate substantially similar subject matter as claim 5. Thus, the claims are rejected along the same rationale as claim 5.

Claims 6, 16, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al. (hereinafter Jamtgaard, US Patent Number 6,430,624, provisional filed on October 21, 1999) in view of Lipkin (US Patent Number 6,721,747, US filing date of January 14, 2000) as applied to claims 1, 2, 11, 12, 21, and 22 above, and further in view of Tadokoro et al. (hereinafter Tadokoro, US Patent Number 6,463,352, filed on August 25, 1999).

**In regard to dependent claim 6**, neither Jamtgaard nor Lipkin disclose a method in which the script is embedded in the HTML file. However, Tadokoro discloses a method in which scripts can be separate from a file or embedded in an HTML file and function the same either way (column 12, lines 11-63 of Tadokoro), "*...the script file is included within a separate portion of the document*".

**In regard to dependent claims 16 and 26**, the claims incorporate substantially similar subject matter as claim 6. Thus, the claims are rejected along the same rationale as claim 6.

#### **(10) Response to Argument**

Appellant's arguments have been fully considered but they are not persuasive.

In order to clarify the examiner's position in regards to independent claims 1, 11, and 21, the rejection will be discussed and the application of the references including motivation will be further clarified and explained. In the rejection as previously presented, the Jamtgaard et al. (hereinafter Jamtgaard) reference teaches that a document server processes a request for a document that comprises at least one HTML

element (column 2, lines 40-59 of Jamtgaard). The document is parsed to generate a document object model which includes at least one object (column 9, lines 48-63 of Jamtgaard). At this point a transformation instruction is received which is directed at the first object of the DOM tree, which has a value (column 10, line 20-column 11, line 12 of Jamtgaard). Jamtgaard discloses that the transformation of objects occurs based on the instructions and when finished the DOM is flattened (transformed from a tree back into a hierarchal document) to generate the transformed document (column 14, lines 4-21 of Jamtgaard). The appellant agrees that Jamtgaard teaches that this transformation is completed in way that is transparent to the user (Appellant's arguments, page 25, lines 4-9). Jamtgaard does not disclose a method in which the transformation of the object involves specifically changing the value of the object based on the transformation instruction. The Lipkin reference teaches that a transformation instruction can be used to change the value of an object in a DOM tree in a way that is transparent to the user (column 69, lines 1-54 of Lipkin). As it is shown in Lipkin any instruction to transform or manipulate the DOM tree is directed through the first object (root node) because that is how all other nodes/objects are accessed (column 69, lines 1-24 of Lipkin). The transformation that occurs in Jamtgaard is a method of changing the format of the document, thus transforming the document into a format or output style that more readily agrees with a client device, while the transformation that occurs in Lipkin is a method of changing the contents/values of the DOM tree explicitly, thus changing the actual content by adding, editing, or deleting content. The combination of these two reference would have provided a method in which both the format/style of a document

Art Unit: 2178

and the actual content of a document could be changed and adapted in a way that is transparent to the user, thus providing the user with a document specifically catered in content and format.

As shown in the rejection and the further clarification of the applied rejection above the examiner believes that the rejection of independent claims 1, 11, and 21 are proper. The examiner wishes to respond to the arguments on pages 23-27, regarding the application of the Lipkin reference and whether or not motivation to combine the Lipkin and Jamtgaard references exists. The appellant states that Lipkin does not teach or suggest that the contents or value of objects in a DOM tree are changed and that the Lipkin reference does not teach that a preexisting document is reformatted. In column 69, lines 1-54, Lipkin shows that during a transformation process a DOM tree is accessed and the values of nodes are changed. In this case, the sub-tree be inserted into the DOM tree is copied to the nodes that require it, thus changing the valued of those nodes specifically, and as it is well known in the art that another term for nodes in a DOM tree is the term object. In the column 54, lines 36-47, Lipkin teaches that pages may be generated and preexisting pages can be customized and/or modified to provide different versions to user agents using the cited embodiment of Lipkin, which is done automatically thus transparent to the user. Therefore, even though Jamtgaard does teach a method of reformatting a document transparently to the user, Lipkin teaches a method in which not only may the format and style of the document be changed transparently to the user, but additionally the content values may be changed. Thus, Lipkin provides an advantage over the teachings of Jamtgaard, but remains to be

Art Unit: 2178

processed in a way that is transparent to the user, which is thought of as an important step in both references. Thus, the examiner believes that these arguments do not overcome the rejection as previously presented. The appellant also argues in this section that Lipkin teaches an XSP model is used to transform the document and that Jamtgaard starts with a mark-up language page. However, the teachings of Lipkin are directed towards creating and modifying HTML and XML documents (column 49, line 60-column 50, line 7 of Lipkin), two of the most common types of mark-up language documents, using XSL which is also used in the teachings of Jamtgaard, thus the system would be operable with the mark-up language documents of Jamtgaard.

Regarding the appellant's arguments on pages 27-28, regarding the application of the Maslov reference, the examiner believes the rejection is proper. The appellant states that Maslov's script is directed to identifying documents from the Internet not document on the recited document server. However, as shown in Maslov, the script may be directed towards identifying both documents from the Internet and from a specific document server (Figure 6, column 10, lines 60-column 11, 39 of Maslov). Thus, the appellant's arguments are not persuasive and do not overcome the rejections in question.

Regarding the appellant's arguments on page 28, regarding the application of the Tadokoro reference, the examiner believes the rejection is proper. The appellant states that Tadokoro does not teach that a script file exists in a separate portion of an HTML file. However, as shown in Tadokoro, the script file is embedded into the HTML page, and requires that the parser parses the script and HTML sections of the file separately,

thus the sections that contain script file can be thought of as separate because they are processed as existing separately (column 12, lines 45-63 of Tadokoro). Thus, the appellant's arguments are not persuasive and do not overcome the rejections in question.

Regarding the appellant's arguments on page 29, regarding the application of the Jamtgaard reference in the rejection of claims 10, 20, and 30, the examiner believes the rejection is proper. The appellant states that Jamtgaard does not disclose a method in which a first object of a DOM is replaced with a second object of a DOM. However, as shown in Jamtgaard, when the document is converted from HTML to RML, it allows inclusions of different content to different objects, which thus represents a replacement from one object with a second object (column 11, lines 15-column 12, lines 65 of Jamtgaard). These hierarchal differences are evident when comparing the differences between the HTML document and RML document shown in columns 11 and 12, which are merely flattened representations of the DOM tree used to perform the transformation. Thus, the appellant's arguments are not persuasive and do not overcome the rejections in question.

Regarding the appellant's arguments on page 30, regarding the application of the Jamtgaard reference in the rejection of claims 31-33 and 37-39, the examiner believes the rejection is proper. The appellant states that the section of Jamtgaard used to reject these claims could not be used because it would not work with the modifications espoused by Lipkin. However, as shown in both Jamtgaard and Lipkin, XSL files are used to process the DOM tree with contains objects, the first object of Jamtgaard being

an HTML page, the objects of Lipkin being widgets, which are merely representations of HTML files, thus in both systems the first object may in fact be an HTML file and the cited portion of Jamtgaard would not in fact conflict with the teachings of Lipkin for this reason (column 11, lines 15-column 12, lines 65 of Jamtgaard and column 75, lines 40-50 of Lipkin). It is noted that the examiner does agree that some form of modification to the system of Jamtgaard would need to be made to incorporate the teachings of Lipkin based on the fact that the Jamtgaard teachings were made without the teachings of Lipkin in mind, however any necessary modification would not hinder the ability nor the usefulness of the Jamtgaard system. Thus, the appellant's arguments are not persuasive and do not overcome the rejections in question.

Regarding the appellant's arguments on pages 30-31, regarding the application of the Lipkin reference in the rejection of claims 31-33 and 37-39, the examiner believes the rejection is proper. The appellant states that Lipkin does not teach a method in which the format of the file before and after transformation is the same, HTML. However, in column 69, lines 1-54, Lipkin shows that during a transformation process a DOM tree is accessed and the values of nodes are changed. In this case, the sub-tree be inserted into the DOM tree is copied to the nodes that require it, thus changing the valued of those nodes specifically, and as it is well known in the art that another term for nodes in a DOM tree is the term object. In the column 54, lines 36-47, Lipkin teaches that pages may be generated and preexisting pages can be customized and/or modified to provide different versions to user agents using the cited embodiment of Lipkin, which is done automatically thus transparent to the user. Lipkin discloses that it would be



Art Unit: 2178

advantageous to allow different versions of pages to different users, which includes adding and removing information content without changing format (HTML) (column 53, lines 5-19 and column 54, lines 36-47 of Lipkin). It is unclear to the examiner how the difference in the intermediate steps taken in the method of Lipkin with regards to the appellant's own invention affects this teaching. Thus, the appellant's arguments are not persuasive and do not overcome the rejections in question.

Regarding the appellant's arguments on pages 31-32, regarding the application of the Lipkin reference in the rejection of claims 42, 43, 47, 48, 52, and 53 the examiner believes the rejection is proper. The appellant states that Lipkin does not teach a method in which the values of the presented object are any different and that the values themselves are not variable, nor are they empty before they are transformed. However, in column 69, lines 1-54, Lipkin shows that during a transformation process a DOM tree is accessed and the values of nodes are changed. In this case, the sub-tree, which consists of different object values or HTML content, be inserted into the DOM tree is copied to the nodes that require it, thus changing the value of those nodes specifically, and as it is well known in the art that another term for nodes in a DOM tree is the term object. Thus the actual nodes of the DOM tree remain the same, but the data objects within them are changed. Lipkin also teaches that content may be added to the DOM tree by adding nodes and sub-trees, thus some nodes may exist as empty until data values are assigned to them (column 69, lines 1-54 of Lipkin). Lipkin also discloses a method in which the value of objects in the DOM tree may be variables (column 69,

Art Unit: 2178

lines 1-24 of Lipkin). Thus, the appellant's arguments are not persuasive and do not overcome the rejections in question.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

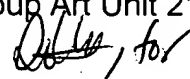
  
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October 13, 2005